

§ 322.4 Application and examination on the application.

(a) An application for naturalization under this section in behalf of a child shall be submitted on Form N-400 by the citizen parent. If the child is over the age of fourteen, Form FD-258, fingerprint card, must accompany the application.

(b) The application must be accompanied by proof of:

- (1) The child's admission for lawful permanent residence;
- (2) The applying citizen parent's United States citizenship; and
- (3) The relationship between the child and applying citizen parent.

(c) In the case of an applicant under section 322(c) of the Act, the citizen parent shall also submit a statement of intent containing the following information about the citizen parent's employment and the child's intentions following naturalization:

- (1) The name of the employer and either the nature of the employer's business, or the ministerial, religious, or missionary activity in which the employer is engaged;
 - (2) Whether the employing entity is owned in whole or in part by United States interests;
 - (3) Whether the employing entity is engaged in whole or in part in the development of the foreign trade and commerce of the United States;
 - (4) The nature of the activity in which the citizen parent is engaged;
 - (5) The anticipated period of employment abroad;
 - (6) The child's intention to reside abroad with the citizen parent; and
 - (7) Whether the citizen parent intends to take up residence within the United States immediately upon the termination of such employment abroad of the citizen parent.
- (d) In the case of a citizen parent whose employment abroad is in connection with his or her membership in the Armed Forces of the United States, a properly executed DD Form 1278 will satisfy the requirements of paragraph (c) of this section.
- (e) The child and the citizen parent must both appear at the examination on the application.

§ 322.5 Oath of allegiance.

(a) A child, as defined in § 322.2(b), must take the oath of allegiance in compliance with part 337 of this chapter, if the child is capable of understanding the meaning of the oath.

(b) If the child is not exempt from the requirement to take the oath of allegiance, the citizen parent must be present at the oath taking ceremony, unless such parent has been excused for good cause.

PART 324—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: WOMEN WHO HAVE LOST UNITED STATES CITIZENSHIP BY MARRIAGE AND FORMER CITIZENS WHOSE NATURALIZATION IS AUTHORIZED BY PRIVATE LAW

Sec.

324.1 Definitions.

324.2 Former citizen at birth or by naturalization.

324.3 Women, citizens of the United States at birth, who lost or are believed to have lost citizenship by marriage and whose marriage has terminated.

324.4 Women restored to United States citizenship by the act of June 25, 1936, as amended by the act of July 2, 1940.

324.5 Former citizen of the United States whose naturalization by taking the oath is authorized by a private law.

AUTHORITY: 8 U.S.C. 1103, 1435, 1443, 1448, 1101 note.

§ 324.1 Definitions.

As used in this part:

Oath means the Oath of Allegiance as prescribed in section 337 of the Act.

[56 FR 50490, Oct. 7, 1991]

§ 324.2 Former citizen at birth or by naturalization.

(a) *Eligibility.* To be eligible for naturalization under section 324(a) of the Act, an applicant must establish that she:

- (1) Was formerly a United States citizen;
- (2) Lost or may have lost United States citizenship:
 - (i) Prior to September 22, 1922, by marriage to an alien, or by the loss of United States citizenship of the applicant's spouse; or